

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

JOSHUA N. IVEY,

Plaintiff,

v.

Case No. 10-C-107

**WALWORTH COUNTY AND
TOWNSHIP OF DELAVAN,**

Defendants.

ORDER DISMISSING CASE

On February 8, 2010, Joshua N. Ivey (“Ivey”), proceeding pro se, filed a complaint against the defendants. (Docket No. 1.) This case has been randomly assigned to this court, and Ivey has consented to the full jurisdiction of a magistrate judge. (Docket No. 4.) Because Ivey is the only party at this point, in accordance with 28 U.S.C. § 636(c), this court has the authority to conduct all proceedings, including the entry of a final order. See, e.g., Cincinnati Ins. Cos. v. Hamilton Beach/Proctor-Silex, Inc., 2005 U.S. Dist. LEXIS 42703 (N.D. Ind. Dec. 13, 2005).

Accompanying Ivey’s complaint was a motion to proceed in forma pauperis. (Docket No. 2.) On February 23, 2010, this court concluded that Ivey was not indigent and accordingly denied Ivey’s motion to proceed in forma pauperis and ordered that he pay the filing fee no later than March 22, 2010. (Docket No. 5.) The court stated in that order, “**Failure to pay the filing fee by this date shall result in Ivey’s complaint being dismissed.**” (Docket No. 5 at 2 (emphasis in original).)

On March 23, 2010, the court received a letter from Ivey requesting additional time to pay the filing fee. (Docket No. 6.) That same day, the court issued an order granting Ivey until April 23, 2010 to pay the filing fee. (Docket No. 7.) Again, the court stated, “**Failure to pay the filing fee by this date shall result in Ivey’s complaint being dismissed.**” (Docket No. 7 (emphasis in original).)

Ivey has failed to pay the filing fee. Therefore, in accordance with Federal Rule of Civil Procedure 41(b), the complaint is hereby **dismissed without prejudice**.

SO ORDERED.

Dated at Milwaukee, Wisconsin this 4th day of May 2010.

s/AARON E. GOODSTEIN
U.S. Magistrate Judge